

AGENDA FOR
LICENSING HEARING SUB COMMITTEE



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To: All Members of Licensing Hearing Sub Committee

Councillors : I Rizvi (Chair), A Booth and D Green

Dear Member/Colleague

Licensing Hearing Sub Committee

You are invited to attend a meeting of the Licensing Hearing Sub Committee which will be held as follows:-

Date:	Tuesday, 8 July 2025
Place:	Virtual meeting via Microsoft Teams
Time:	1.30 pm
Notes:	To view the virtual meeting online, please email m.cunliffe@bury.gov.uk or phone 0161 2535399 who will provide you with a link to view the meeting via MS Teams or telephone you into meeting with the option of audio only.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearing Sub Committee are asked to consider whether they have an interest in any matter on the agenda, and, if so, to formally declare that interest.

3 OBJECTION NOTICE BEING RECEIVED FROM GREATER MANCHESTER POLICE OR ENVIRONMENTAL HEALTH IN RESPECT OF A TEMPORARY EVENT NOTICE *(Pages 3 - 14)*

A report from the Executive Director (Operations) is attached:-



Classification	Item No.
Open / Closed	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	8 July 2025
Title of report:	This report relates to an objection notice being received from Greater Manchester Police or Environmental Health in respect of a temporary event notice.
Report by:	Executive Director (Corporate Core)
Decision Type:	Council
Ward to which report relates:	Prestwich Sedgley

Executive Summary:

This report relates to an objection notice being given to the Licensing Authority, by Greater Manchester Police pursuant to section 104(2) of the Licensing Act 2003, in respect of a proposed temporary event to be held at 65 Windsor Road Prestwich, M25 0DB between the hours of 20.30 to 03.00 hours on the 17 July 2025 until 20 July 2025.

Recommendation(s)

- To give a counter notice to the Temporary Event Notice giver pursuant to section 105(2)(b) of the Licensing Act 2003, if the Local Authority considers it necessary for the promotion of the Licensing Objectives– (preventing the event from taking place).
- Not to give a counter notice and to provide the Police and the notice giver with a copy of the decision and reasons.

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations is the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

2.0 BACKGROUND

- 2.1 The Temporary Event Notice has been given by Ervis Shkuti, 86 Devonshire Square, Salford, M7 4AD. The date of the event that the Temporary Event Notice covers proposed temporary event to be held at 65 Windsor Road Prestwich, M25 0DB between the hours of 20.30 to 03.00 hours on the 17 July 2025 until 20 July 2025.
- 2.2 The Greater Manchester Police have complied with all the necessary procedural requirements laid down by the Act.
- 2.3 Under the provisions of section 104(2) of the Act, where the chief officer of police is satisfied that allowing the premises to be used in accordance with the Temporary Event Notice would undermine the Crime Prevention Objective, he must give a notice stating the reasons why he is so satisfied.
- 2.4 Greater Manchester Police, in their capacity as a Responsible Authority, will give their reasons for their representation in respect of the Temporary Event Notice were they are satisfied that the representation would undermine the Prevention of Crime and Disorder. Representation is attached at appendix 1.

3.0 GUIDANCE TO LICENSING AUTHORITY

- 3.1 The Secretary of State Guidance issued under section 182 of Licensing Act 2003 (December 2022 – updated 12 January 2023) states as follows:
 - 7.10 The police and EHA have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives.
 - 7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must

give notice to the premises user which includes a statement of conditions (a "notice (statement of conditions)") and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.

7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.

7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.

4.0 OBSERVATIONS

4.1 After hearing the evidence representation and evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

Community impact/links with Community Strategy

Not Applicable

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
There are no specific issues from the report other than potential costs/risks associated with legal appeals.	

Consultation:

Not Applicable

Legal Implications:

Yes, under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

Financial Implications:

The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

Report Author and Contact Details:

For further information on the details of this report, please contact:

Mr M Bridge
Licensing Office
Town Hall
Bury
Telephone No: 0161 253 5209
Email: m.bridge@bury.gov.uk

Background papers:

List of Background Papers: -
Temporary Event Notice
Representation from Greater Manchester Police

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning

Appendix One

Representations from Greater Manchester Police

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

NEW EAGLE COFFEE BAR
65 WINDSOR ROAD
PRESTWICH
M25 0DB

Type of application.

Temporary Event Notice

Application Number (if known):

Section 2 – Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

<input checked="" type="checkbox"/>	Police
<input type="checkbox"/>	Fire Authority
<input type="checkbox"/>	Planning Authority
<input type="checkbox"/>	Health and Safety

	Environmental Health Service	
	Child Protection	
	Weights and Measures	
	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:	Peter Eccleston	
Job Title:	Bury District Licensing Officer	
Tele number:	07774219071 / 0161 856 2256	
Email:	peter.eccleston@gmp.police.uk	
Address:		
<p>Bury Police Station</p> <p>Dunster Road</p> <p>Bury</p> <p>BL9 0RD</p>		

Section 3 – Representations

<input checked="" type="checkbox"/>	We object to the application being granted at all
<input type="checkbox"/>	We object to the application being granted in its current form *

*If you choose this option remember to tell us in section 3B what changes you would like to see.

You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).

Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.

Section 3A – The Objectives

<p>To prevent crime and disorder</p>	<p>Please accept this as a formal representation from Greater Manchester Police with regards to the giving of a Late TEN for New Eagle Coffee Bar, 65 Windsor Road, Prestwich, M25 0DB.</p> <p>During the dates and times requested, Heaton Park is hosting five Oasis concerts with just under 80,000 people attending per day on the 11th, 12th, 16th, 19th and 20th July 2025. Those attending the concerts, are coming from all over the country and are not necessarily familiar with the local area and therefore it is anticipated that a high proportion will be utilising public transport links such as the metrolink, bus services as well as taxi services including private hire vehicles to get to and from the events.</p> <p>Heaton Park and the surrounding areas will see a huge increase in footfall over the course of the 5 days and this doesn't include those who will be likely to attend the park who don't have a ticket to gain entry. New Eagle Coffee Bar, is not only within close proximity to Heaton Park itself, it is also very close to the Bowker Vale Metrolink station.</p> <p>Previously, the premises has submitted a Temporary Events Notice from the 11th to the 15th July 2025 to extend their closing time and alcohol sales by 2hrs from 21:00hrs to 23:00hrs. GMP had previously requested door supervisors be employed to help manage those attending the premises who are most likely already feeling the effects of alcohol. This request was refused by the Premises License Holder/DPS and since then, that TEN was withdrawn and two new notices have been submitted however on this occasion, the request is to extend the premises opening hours and alcohol sales by 6 hours, meaning that if granted, they would not close until 3am.</p> <p>One of the TENS was submitted late and therefore GMP has already made representations to the Licensing Authority. Like the other TEN, there is no mention whatsoever as to how the much-anticipated increase in footfall and visits to the premises will be managed. Not only is there likely to be a sharp increase in customers before the event it is highly likely that there will be an increase level of custom after the event considering that they</p>
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	<p>are requesting a 3am close the premises is close to one of the main transport links to and from Heaton Park.</p> <p>Greater Manchester Police understands that this is probably the biggest music event Manchester has seen for a number of years and we understand that the hospitality industry is not what it used to be so businesses are trying to capitalise on that in order to try and make a profit however that should not be at the expense of public safety, annoyance of local residents and the most likely increase in crime and disorder. Unfortunately, the premises has not provided details as to how those attending the premises will be managed. There is no detail as to whether SIA registered door supervisors will be employed to manage those in attendance. GMP are of the opinion that the removal of seating outside and the decanting of alcohol into plastic glasses would not be sufficient to prevent potential incidents of crime and disorder which is likely to occur given those attending the premises both before and especially after, the events in Heaton Park will already be feeling the effects of alcohol.</p> <p>The premises is situated in a mainly residential area and with the increase in footfall in and out of the premises and the lack of staff to manage those customers, there are concerns that this is likely to result in increased complaints from local residents as there is no mention of how ingress and egress will be managed, or how customers will be prevented from utilising outside areas at late hour resulting in annoyance being caused well into the early hours of the morning. Furthermore, there is the impact of parking and vehicles coming and going from the premises.</p> <p>Although there are a number of GMP resources assigned to the Oasis concerts, their primary function will public safety in and around Heaton Park including both ingress and egress from the park itself. Should an incident occur at the premises GMP cannot guarantee that there will be available resources to attend and considering the premises is requesting an extension to the opening hours vastly exceeding all the other licensed premises in the near vicinity there is no requirement for police resources to be retained on duty once egress from Heaton Park has been completed.</p>
Public safety	Please state your reasons:

To prevent public nuisance	
The protection of children from harm	Within the notice there are no details as to how children will be prevented from being put at risk. There are no details of age verification, time restriction or how proxy sales will be prevented.

Section 3B – Suggestions/Further information

Greater Manchester Police believe that in its current form the licensing objectives will be seriously undermined and therefore it is the opinion of the Police that the TEN should be refused in its entirety however should the Sub-Committee be minded to permit the TEN, Greater Manchester Police would advise the below as a minimum:

1. A minimum of x2 SIA registered door staff to be employed between the hours of 5pm until close.
2. Current premises license conditions extended for the duration of TEN.
3. All external areas to be closed to customers from 9pm
4. Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
5. The DPS or other personal license holder must be on site for the duration.
6. All beverages must be decanted into plastic drinking vessels.
7. Challenge 25 age verification to be employed with only official documentation to be accepted as proof of identification: Passport, UK Driving License, Photographic identification with the official pass logo, Armed Forces identification.
8. No children permitted after 5pm
9. No alcohol to be brought onto the premises except for pre-arranged deliveries

Signed.....P. Eccleston.....

dated 30/06/25

N.B if you do make a representation, you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.